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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/578,769	01/29/2007	Ken Takei	NITT,0327	6221
38327	7590	04/15/2009	EXAMINER	
REED SMITH LLP			DUONG, DIEU HIEN	
3110 FAIRVIEW PARK DRIVE, SUITE 1400			ART UNIT	PAPER NUMBER
FALLS CHURCH, VA 22042			2821	
MAIL DATE		DELIVERY MODE		
04/15/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/578,769	<b>Applicant(s)</b> TAKEI ET AL.
	<b>Examiner</b> DIEU HIEN T. DUONG	<b>Art Unit</b> 2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 13 March 2009.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,2,6-8,12,13 and 17-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-2, 6-8, 12-13, and 17-22 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/06)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/13/2009 has been entered. In virtue of this submission, claims 3-5, 9-11 and 14-16 are canceled; thus, claims 1-2, 6-8, 12-13, and 17-22 are currently in the instant application.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 6-8, 12-13 and 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jenwatanavet (US 6,894,647 B2).

Regarding claims 1, 7, 17-18 and 22, Jenwatanavet discloses, in Figure 5a, a portable wireless terminal comprising an antenna incorporated therein, the antenna comprising

a ground conductor (520) having a ground potential;

a single feeding point (502, 504) whose one end is formed by a part of the ground conductor (520); and

a plurality of transmission lines (518, 510, 514) to which RF power supplied to the feeding point is input, for radiating electromagnetic waves of a plurality of frequencies into space,

wherein the plurality of transmission lines (518, 510, 514) include a specific transmission line for radiating that consists of a single element without being separated by space to radiate electromagnetic waves of the plurality of frequencies into space commonly into space to the plurality of frequencies,

wherein, when the plurality of frequencies are composed of n frequencies of first, second, third and fourth to n-th frequencies, where n is a positive integer of three or more,

the plurality of transmission lines (518, 514, 516) include a first transmission line (518) whose one end is connected to the feeding point (502) and whose other end is connected to a first branching point (508), a second transmission line (514) connected between the first branching point and a second branching point, and a third transmission line (516) connected to the second branching point,

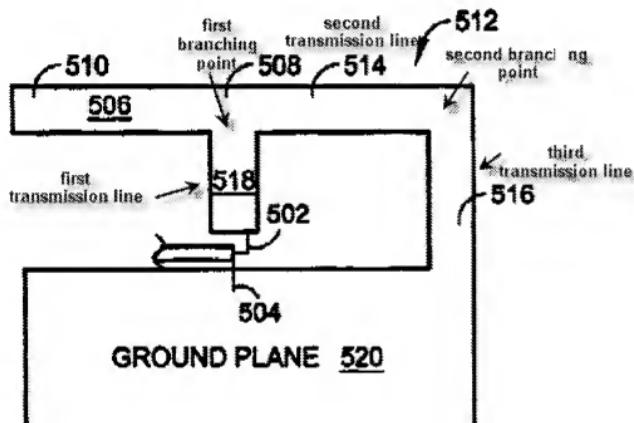
wherein respective lengths of the plurality of transmission lines are set so that impedance matching is performed at the feeding point with respect to the plurality of frequencies.

Jenwatanavet does not disclose wherein the total length of the plurality of transmission lines is shorter than the sum of a quarter wavelength of an electromagnetic

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wave of the first frequency and half wavelengths of electromagnetic waves of the second, third and fourth to n-th frequencies, the second, third and fourth to n-th frequencies being higher than the first frequency.

However, such difference is not patentable merits since it would have been obvious to one having ordinary skill in the art at the time the invention was made to determine the electrical length of the transmission lines to obtain desired frequency bands based on particular application or environment of use. Therefore, to employ having the total length of the transmission lines as claimed would have been obvious to person skill in the art of antenna.



Regarding claims 2, 6, 8, 12 and 19-20, Jenwatanavet discloses, in Figure 5a, wherein the ground conductor (520), the feeding point (502) and the plurality of transmission lines (518, 514, 516) are formed of an integrated metal plate; wherein the

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ground conductor (520) is located on one side of one of the plurality of transmission lines.

Regarding claims 13 and 21, Jenwatanavet discloses, in Figure 5a, further comprising a transmission line (510) for impedance adjustment connected to at least one of the feeding point and the branching point.

***Inquiry***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIEU HIEN T. DUONG whose telephone number is (571)272-8980. The examiner can normally be reached on Monday - Friday, from 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W. Owens can be reached on 571-272-1662. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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DD  
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/Trinh Vo Dinh/  
Primary Examiner, Art Unit 2821